

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RYAN S. WATSON, Individually and as Trustee of the Watson Family Gun Trust	:	CIVIL ACTION
	:	
v.	:	
	:	
LORETTA LYNCH, et al. ¹	:	NO. 14-6569

UNITED STATES OF AMERICA	:	CIVIL ACTION
	:	
v.	:	
	:	
ONE PALMETTO STATE ARMORY	:	NO. 15-2202
PA-15 MACHINEGUN RECEIVER/FRAME,	:	
UNKNOWN CALIBER, SERIAL NUMBER	:	
LW001804, defendant	:	
And	:	
WATSON FAMILY GUN TRUST, claimant	:	

ORDER

AND NOW, this 22nd day of June, 2015, upon consideration of plaintiff Ryan S. Watson's uncontested motion to consolidate the cases and stay the forfeiture proceedings (docket entry # 16, 14-6569), and the Court finding that:

(a) The two matters arise from the same factual circumstances, that is, the plaintiff's manufacture of a machine gun pursuant to approval from the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE), which the agency thereafter rescinded, confiscating the firearm, see Motion to Cons. at unnumbered 2;

(b) On November 14, 2014, plaintiff filed suit seeking declarative and injunctive relief from 18 U.S.C. § 922(o), 26 U.S.C. § 5801 et seq. and the implementing regulations at 27

¹ Upon taking office, Attorney General Loretta Lynch and Thomas E. Brandon, Acting Director of the Bureau of Alcohol, Tobacco, Firearms & Explosives, were substituted as parties to this action pursuant to Federal Rule of Civil Procedure 25(d).

C.F.R. § 479.1 et seq., and alleging infringement of his Second, Fourth and Fifth Amendment Rights as a result of BATFE's action and seeking the return of his firearm, id.;

(c) On or about April 24, 2015, the United States instituted the forfeiture proceeding;
(d) On May 26, 2015, the Watson Family Gun Trust filed a verified claim of interest in Civil Action No. 15-2202 and thereafter filed an answer to the forfeiture complaint that echoed in large part the claims made in the earlier action, id.; and
(e) Watson urges us to consolidate pursuant to Fed. R. Civ. P. 42(a) which permits district courts to consolidate actions presenting a "common question of law or fact";

It is hereby ORDERED that:

1. Pursuant to Fed. R. Civ. P. 42(a), the above cases are CONSOLIDATED for all purposes under Civil Action No. 15-2202;
2. The Clerk of Court shall TRANSFER all papers in C.A. No. 14-6569 to the file folder of C.A. No. 15-2202; and
3. The Clerk of Court shall CLOSE Civil Action No. 14-6569 statistically.

BY THE COURT:

/s/ Stewart Dalzell, J.